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Attorney's Docket No.: 08326-051002

#8

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Britton Chance

Art Unit : 3737

Serial No. : 09/924,152

Examiner : Unknown

Filed : August 7, 2001

Title : EXAMINATION OF A BIOLOGICAL TISSUE USING PHOTON MIGRATION
BETWEEN A PLURALITY OF INPUT AND DETECTION LOCATIONSCommissioner for Patents
Washington, D.C. 20231COPY OF PAPERS
ORIGINALLY FILED**REQUEST TO WITHDRAW**
NOTICE OF INCOMPLETE REPLY

In response to the Notice of Incomplete Reply (Nonprovisional) dated March 20, 2002, Applicant submits herewith a copy of a Preliminary Amendment (**including Abstract**), which was submitted in conjunction with the Response to Notice to File Missing Parts of Application on February 6, 2002.

Because applicant properly filed the Abstract on February 6, 2002, and believes that no papers are due, Applicant respectfully requests withdrawal of the Notice of Incomplete Reply dated March 20, 2002.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 16, 2002

David J. Lopez Reg. No. 45,388
John N. Williams
Reg. No. 18,948

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
20420996.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL
I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit April 16, 2002
Toni M. Sousa
Signature
Typed or Printed Name of Person Signing Certificate

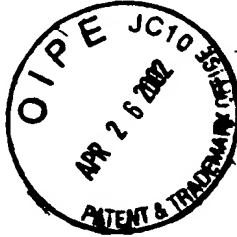


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/924,152	08/07/2001	Britton Chance	08326-051002

JOHN N. WILLIAMS
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225 Franklin Street
Boston, MA 02110-2804



CONFIRMATION NO. 1820

FORMALITIES LETTER



OC000000007673677

COPY OF PAPERS
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Date Mailed: 03/20/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 02/25/2002 to the Notice to File Missing Parts (Notice) mailed 09/06/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3737

Examiner : Unknown

Filed : August 7, 2001

Title : EXAMINATION OF A BIOLOGICAL TISSUE USING PHOTON MIGRATION BETWEEN A PLURALITY OF INPUT AND DETECTION LOCATIONS

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

**COPY OF PAPERS
ORIGINALLY FILED**

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 U.S.C. §1.53(b) mailed September 6, 2001 (copy enclosed), applicant claims small entity status (see 37 CFR 1.27) and submits herewith the following:

- ☒ Payment of the basic filing fee of \$370;
- ☒ Payment of the additional/multiple dependent claims fees of \$704;
- ☒ Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- ☒ A check in the total amount of \$1139 is attached;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63; and
- ☒ Other: Petition for Three-Month Extension of Time (with required fee in the amount of \$460.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

February 6, 2002

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

Applicant : Britton Chance
Serial No. : 09/924,152
Filed : August 7, 2001
Page : 2


A [redacted]'s Docket No.: 08326-051002

It is understood that this perfects the application and no additional papers or filing fees are required.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: Feb. 2, 2002


John N. Williams
Reg. No. 18,948

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/924,152	08/07/2001	Britton Chance	08326-051002

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CONFIRMATION NO. 1820

FORMALITIES LETTER



OC000000006521415

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 09/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$685.
 - \$270 for 30 total claims over 20.
 - \$280 for 7 independent claims over 3 .
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1105.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE